



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

September 28, 2006

IN REPLY PLEASE

REFER TO FILE: **AS-0**

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**NATIVE HABITAT MITIGATION AND MAINTENANCE SERVICES FOR  
SAN GABRIEL RIVER RUBBER DAMS NO. 2 AND 3 AT POWDER CANYON  
SUPERVISORIAL DISTRICT 4  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Award the contract for Native Habitat Mitigation and Maintenance Services for San Gabriel River Rubber Dams No. 2 and 3 at Powder Canyon in the sum of \$241,292 to Natures Image, Inc., located in Lake Forest, California. This contract will be for a term of 60 months from and beyond the date of Public Works' acceptance of completion of Task 1, with two 1-year renewal options. Funds are available from the Fiscal Year 2006-07 Flood Control District Fund.
2. Delegate authority to the Director of Public Works to expend up to 15 percent of the contract sum for optional as-needed services, including any unforeseen additional work within the scope of work of the contract, if required.
3. Delegate authority to the Director to execute this contract; to renew it for each additional renewal option, if, in the opinion of the Director, renewal is warranted; to grant month-to-month extensions in the final contract term not exceeding a total of six months, for the convenience of the County; and to terminate it, if, in the opinion of the Director, it is in the best interest of the County to do so.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of this action is to contract for as-needed and intermittent native habitat mitigation and maintenance services to maintain restoration areas at Powder Canyon located within the unincorporated County area of La Habra Heights. The work to be performed will consist of site preparation, installation of native plant materials, plant establishment, designation and installation of the temporary irrigation system, and preparation of as-built plans. Additionally, the contractor is responsible for long-term maintenance, which includes replanting, irrigation, trash removal, and weed control. Optional as-needed services are also included in the scope of work to ensure successful completion of the project.

### **Implementation of Strategic Plan Goals**

The award of this contract is consistent with the County Strategic Plan Goals of Service Excellence and Organizational Effectiveness as the contractor has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner.

### **FISCAL IMPACT/FINANCING**

The contract is for an amount not to exceed \$241,292, and this amount can be augmented by up to 15 percent for optional as-needed services including unforeseen additional work within the scope of the contract. This amount is based on the unit prices quoted by the contractor and our estimated utilization of the contractor's services. This contract will commence upon execution for a period of 60 months from and beyond Public Works' acceptance of completion of Task 1. With the Board's delegated authority, the Director may renew this contract for two 1-year renewal options.

There will be no impact on net County cost. Financing for the initial year is included in Fiscal Year 2006-07 Flood Control District Fund. Financing for the remaining two years will be included in the future years' budget requests.

This contract allows a cost-of-living adjustment for the additional optional years in accordance with County policy established by the Chief Administrative Office.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Prior to the Director executing this contract, which will be substantially similar to Enclosure A, the contractor will sign and County Counsel will review it as to form.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to this recommended contract, which is for services required on an as-needed and intermittent basis; hence, this contract is not a Proposition A contract (Los Angeles County Code Chapter 2.121).

### **ENVIRONMENTAL DOCUMENTATION**

On September 2, 2003, Item No. 36, your Board approved the Mitigated Negative Declaration for the construction of the Rubber Dams No. 2 and 3 project in the San Gabriel River at Valley Boulevard and adopted the Mitigation Monitoring and Reporting Program prepared to mitigate or avoid significant effects on the environment. The recommended action implements mitigation measures discussed in the Mitigated Negative Declaration.

### **CONTRACTING PROCESS**

On July 26, 2006, Public Works solicited proposals from 551 independent contractors and community business enterprises to accomplish this work. Also, a notice of the Request for Proposals (RFP) was placed on the County's bid website (Enclosure B) and an advertisement was placed in the *Los Angeles Times*.

Pursuant to the Memorandum of Understanding, the RFP of this contracted service was submitted on July 25, 2006, to the Local 660 Union for review before being released to the public. The Union met with Public Works on September 5, 2006.

On August 17, 2006, two proposals were received. The proposals were first reviewed to ensure they met the mandatory requirements outlined in the RFP. The two proposals having met these requirements, were then evaluated by an evaluation committee consisting of Public Works staff, a consultant, and a representative from the Puente Hills Landfill Native Habitat Preservation Authority. The committee's evaluation was based on criteria described in the RFP, which included price, experience, work plan, financial resources, and references. Based on this evaluation, it is recommended that this contract be awarded to the highest-rated, responsive and responsible proposer, Natures Image, Inc., located in Lake Forest, California.

Enclosure C reflects the proposers' minority participation. The contractor was selected upon final analysis and consideration without regard to race, creed, gender, or color.

This contract contains terms and conditions supporting Board-sponsored policies such as contractor responsibility and debarment (revised), jury service requirements, the Safely Surrendered Baby Law, and charitable activities compliance.

The Honorable Board of Supervisors  
September 28, 2006  
Page 4

Proof of the required Comprehensive General and Automobile Liability insurance policies, naming the County as additional insured, and evidence of Workers' Compensation insurance will be obtained from the contractor before any work is assigned.

As requested by your Board, the contractor has submitted a safety record that reflects the activities conducted by the contractor in the past have been according to reasonable standards of safety.

In accordance with the Chief Administrative Officer's June 15, 2001, instructions, this is Public Works' assurance that this contractor will not be requested to perform services that will exceed the contract's approved amount, scope of work, and/or terms.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The award of this contract will not result in the displacement of any County employees.

**CONCLUSION**

One adopted copy of this letter is requested.

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

LG  
P:\aspub\CONTRACT\Leticia\Powder Canyon\BL Powder.doc

Enc. 3

cc: Chief Administrative Office  
County Counsel

SAMPLE AGREEMENT FOR  
NATIVE HABITAT MITIGATION AND MAINTENANCE SERVICES FOR  
SAN GABRIEL RIVER RUBBER DAMS NO. 2 AND 3 AT POWDER CANYON

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2006, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and NATURES IMAGE, INC., a corporation (hereinafter referred to as CONTRACTOR).

WITNESSETH

FIRST: The CONTRACTOR, for the consideration hereinafter set forth and the acceptance by Board of Supervisors of said COUNTY of the CONTRACTOR'S Proposal filed with the COUNTY on August 17, 2006, hereby agrees to provide services as described in the attached specifications for Native Habitat Mitigation and Maintenance Services for San Gabriel River Rubber Dams No. 2 and 3 at Powder Canyon, including, but not limited to Exhibit A, Scope of Work.

SECOND: This AGREEMENT, together with Exhibit A, Scope of Work; Exhibit B, Service Contract General Requirements; Exhibit C, Internal Revenue Service Notice 1015; Exhibit D, Safely Surrendered Baby Law Posters; Exhibit E, U.S. Army Corps of Engineers 404 Permit (File No. 200400105-KW); Exhibit F, California Department of Fish and Game Streambed Alteration Agreement No. 1600-2003-5133-R5 and Amendment 1; Exhibit G, U.S. Fish and Wildlife Service Biological Opinion No. FWS-LA-3787.3 and Amendment; Exhibit H, Clean Water Act Section 401 Water Quality Certification (File No. 03-163); Exhibit I, Riparian Habitat Offsite Mitigation Program San Gabriel River Rubber Dams No. 2 and No. 3; Exhibit J, Habitat Restoration Project; Exhibit K, Native Habitat Restoration in Progress; Exhibit L, Local Vicinity; Exhibit M, Mitigation Site Location; Exhibit N, Powder Canyon Restoration Areas; and the CONTRACTOR'S Proposal, all attached hereto, and the Request for Proposals and Addenda to the Request for Proposals are incorporated herein by reference are agreed by the COUNTY and the CONTRACTOR to constitute an integral part of the Contract documents.

THIRD: The COUNTY agrees, in consideration of satisfactory performance of the foregoing services in strict accordance with the Contract specifications to the satisfaction of the Director of Public Works, to pay the CONTRACTOR pursuant to the Schedule of Prices set forth in the Proposal and attached hereto as Form PW-2, an aggregate amount not to exceed \$241,292 (Maximum Contract Sum), or such greater amount as the Board may approve.

//  
//  
//  
//  
//  
//  
//

FOURTH: This Contract shall commence upon Board approval and will continue for 60 months from and beyond the date of COUNTY'S acceptance of CONTRACTOR'S completion of Task 1, with two 1-year renewal options, which may be exercised at COUNTY'S sole discretion. The COUNTY, acting through the Director, may at least 30 days prior to the end of the 60-month term, and the first option year, if granted, give a written notice of intent to exercise the renewal option year, not to exceed a total of two renewal option years. Any Task 3 items extended through the renewal option years will be subject to a cost-of-living adjustment as herein outlined. In addition, upon notice of at least 30 days, the Director may extend the final contract term on a month-to-month basis, not to exceed a total of six months, for the convenience of the COUNTY.

FIFTH: The CONTRACTOR shall bill at the completion of each item under Task 1. Work performed for each item under Task 1 shall be billed at the lump sum price quoted in Form PW-2, Schedule of Prices. The CONTRACTOR shall bill monthly, in arrears, for the work performed during the preceding month for Task 2 and Task 3 (if necessary).

SIXTH: Public Works will make payment to the CONTRACTOR within 30 days of receipt of a properly completed invoice. All invoices must be approved by the Biological Monitor for accuracy before the CONTRACTOR submits the invoice to Public Works. Ten percent will be retained by Public Works from each invoice for each item under Task 1 until one year after completion of Task 1. After completion of Task 1 and contingent upon survival of the plants, the CONTRACTOR will be paid the remaining 10 percent from each item under Task 1. Each invoice shall be in triplicate (original and two copies) and shall itemize the work completed. After approval by the Biological Monitor, the invoices shall be submitted to:

County of Los Angeles Department of Public Works  
Attention Fiscal Division, Accounts Payable  
P.O. Box 7508  
Alhambra, CA 91802-7508

SEVENTH: In no event shall the aggregate total amount of compensation paid to the CONTRACTOR exceed the amount of compensation authorized by the Board. Such aggregate total amount is the Maximum Contract Sum.

EIGHTH: The CONTRACTOR understands and agrees that only the designated Public Works Contract Manager is authorized to request or order work under this Contract. The CONTRACTOR acknowledges that the designated Contract Manager is not authorized to request or order any work that would result in the CONTRACTOR earning an aggregate compensation in excess of this Contract's Maximum Contract Sum.

NINTH: The CONTRACTOR shall not perform or accept work requests from the Contract Manager or any other person that will cause the Maximum Contract Sum of this Contract to be exceeded. The CONTRACTOR shall monitor the balance of this Contract's Maximum Contract Sum. When the total of the CONTRACTOR'S paid invoices, invoices pending payment, invoices yet to be submitted, and ordered services reaches 75 percent

**TENTH:** The Director shall adjust the rate of compensation set forth in Form PW-2 (Schedule of Prices) for the two 1-year renewal options based on the increase or decrease in the U.S. Department of Labor, Bureau of Labor Statistics', All Urban Consumers Price Index for the Los Angeles-Riverside-Orange County Area (CPI). The contract anniversary date shall be the effective date for any such cost-of-living adjustment. The percentage change in the rate of compensation shall equal 12 times the average monthly change in the CPI over the first nine months of the contract term preceding the effective date. However, any percentage increase shall not exceed the general salary movement granted to COUNTY employees as determined by the COUNTY'S Chief Administrative Office as of July 1 for the prior 12-month period. Furthermore, should fiscal circumstances ultimately prevent the Board from approving any increase in COUNTY employee salaries, no cost-of-living adjustment will be granted.

**TWELFTH:** The CONTRACTOR agrees in strict accordance with the Contract specifications and conditions to meet the COUNTY'S requirements.

[illegible]

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Director of Public Works

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.  
County Counsel

By \_\_\_\_\_  
Deputy

NATURES IMAGE, INC.

By \_\_\_\_\_  
Its President

\_\_\_\_\_  
Type or Print Name

By \_\_\_\_\_  
Its Secretary

\_\_\_\_\_  
Type or Print Name



**Bid Detail Information****Bid Number :** PW-ASD 628**Bid Title :** NATIVE HABITAT MITIGATION AND MAINT. SERVICES FOR SAN GABRIEL RIVER RUBBER DAMS**Bid Type :** Service**Department :** Public Works**Commodity :** ARCHITECTURAL SERVICES - LANDSCAPE**Open Date :** 7/25/2006**Closing Date :** 8/17/2006 5:30 PM**Bid Amount :** \$ 200,000**Bid Download :** Not Available**Bid Description :**

PLEASE TAKE NOTICE that Public Works is seeking proposals for Native Habitat Mitigation and Maintenance Services for San Gabriel River Rubber Dams No. 2 and 3 at Powder Canyon (2006-AN015). The total cost of this service is estimated to be \$200,000. Proposers must meet all minimum requirements set forth in the Request for Proposals (RFP) document, including, but not limited to, experience in Southern California in nonnative species control and management within native habitat areas and installation and maintenance of native habitat restoration programs. If not enclosed with this letter, the RFP with contract specifications, forms, and instructions for preparing and submitting proposals may be requested by accessing this link at <ftp://dpwftp.co.la.ca.us/solicitationdocuments/powdercanyon.pdf> or from Ms. Leticia Gordo at (626) 458-4057, Monday through Thursday, 7 a.m. to 5 p.m.

A mandatory Project Site Visit will be held on Thursday, August 3, 2006, at 10 a.m. at the Powder Canyon Site, which can be accessed through Powder Canyon Trailhead off Fullerton Road, west of Harbor Boulevard (TG 708 H1). A mandatory Proposers' Conference will take place on Thursday, August 3, 2006, at 2 p.m., at 900 South Fremont Avenue, Alhambra, California 91803, in Conference Room C. ATTENDANCE BY THE PROPOSER OR AN AUTHORIZED REPRESENTATIVE IS MANDATORY for both the Project Site Visit and the Proposers' Conference. Public Works will reject proposals from those whose attendance cannot be verified. Attendees should be prepared to ask questions at the Proposers' Conference about the specifications, proposal requirements, and contract terms. After the Conference, it may be impossible to respond to further requests for information. The deadline to submit proposals is Thursday, August 17, 2006, at 5:30 p.m. Please direct your questions to Ms. Gordo at the number above.

Proposers should note that the field site does not comply with the Americans with Disabilities Act (ADA) and should plan accordingly. The conference facility is ADA compliant. With four business days' notice, Public Works will make all reasonable efforts to provide information in alternate formats and other accommodations for people with disabilities. For the ADA Coordinator, please call (626) 458-4081 or TDD at (626) 282-7829, Monday through Thursday, 7 a.m. to 5:30 p.m.

**Contact Name :** LETICIA GORDO**Contact Phone# :** (626) 458-4057**Contact Email :** [LGORDO@LADPW.ORG](mailto:LGORDO@LADPW.ORG)**Last Changed On :** 7/25/2006 5:13:46 PM[Back to Last Window](#)

**County of Los Angeles**  
**Request for Local Small Business Enterprise (SBE) Preference Program Consideration and**  
**CBE Firm/Organization Information Form**

All proposers responding to the Request for Proposals must complete and return this form for proper consideration of the proposal.

FIRM NAME: Natures Image, Inc.

My County (WebVen) Vendor Number: 10434401

**I. LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:**

☒ I AM NOT A Local SBE certified by the County of Los Angeles Office of Affirmative Action Compliance as of the date of this proposal/bid's submission.

☐ I AM

☐ As an eligible Local SBE, I request this proposal/bid be considered for the Local SBE Preference.

**II. FIRM/ORGANIZATION INFORMATION:** The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to race/ethnicity, color, religion, sex, national origin, age, sexual orientation or disability.

<b>Business Structure:</b>	<input type="checkbox"/> Sole	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Nonprofit	<input type="checkbox"/> Franchise	
<input type="checkbox"/> Other (Please Specify):						
Total Number of Employees (including owners): 47						
Race/Ethnic Composition of Firm. Please distribute the above total number of individuals into the following categories:						
Race/Ethnic Composition	Owners/Partners/Associate Partners		Managers		Staff	
	Male	Female	Male	Female	Male	Female
Black/African American						
Hispanic/Latino					33	1
Asian or Pacific Islander						
American Indian						
Filipino						
White	1	1	2	1	6	2

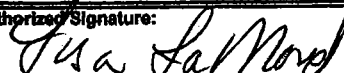
**III. PERCENTAGE OF OWNERSHIP IN FIRM:** Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/ Latino	Asian or Pacific Islander	American Indian	Filipino	White
Men	%	%	%	%	%	%
Women	%	%	%	%	%	100 %

**IV. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES:** If your firm is currently certified as a minority, women, disadvantaged or disabled veteran owned business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form, if necessary.)

Agency Name	Minority	Women	Disadvantaged	Disabled Veteran	Expiration Date
N/A					

**V. DECLARATION:** I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Authorized Signature: 	Title: CEO	Date: 8/16/06
---	------------	---------------

County of Los Angeles  
Request for Proposal/Small Business Enterprise (SBE) Preference Program/Local Small Business Enterprise (SBE) Preference Program  
Firm/Organization Information Form

All proposers responding to the Request for Proposals must complete and return this form for proper consideration of the proposal.

FIRM NAME: L. Barrios & Associates Inc.

My County (WebVen) Vendor Number: 50551601

**I. LOCAL SMALL BUSINESS ENTERPRISE PREFERENCE PROGRAM:**

<input type="checkbox"/> I AM NOT	A Local SBE certified by the County of Los Angeles Office of Affirmative Action Compliance as of the date of this proposal/bid's submission.
<input checked="" type="checkbox"/> I AM	
<input checked="" type="checkbox"/> As an eligible Local SBE, I request this proposal/bid be considered for the Local SBE Preference.	

**II. FIRM/ORGANIZATION INFORMATION:** The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to race/ethnicity, color, religion, sex, national origin, age, sexual orientation or disability.

<b>Business Structure:</b>	<input type="checkbox"/> Sole	<input type="checkbox"/> Partnership	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Nonprofit	<input type="checkbox"/> Franchise	
<input type="checkbox"/> Other (Please Specify):						
Total Number of Employees (including owners): 31						
Race/Ethnic Composition of Firm. Please distribute the above total number of individuals into the following categories:						
Race/Ethnic Composition	Owner/Partner/Associate/Partner		Managers		Staff	
	Male	Female	Male	Female	Male	Female
Black/African American						
Hispanic/Latino	1		2		27	1
Asian or Pacific Islander						
American Indian						
Filipino						
White						


**III. PERCENTAGE OF OWNERSHIP IN FIRM:** Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/Latino	Asian or Pacific Islander	American Indian	Filipino	White
Men	%	99 %	%	%	%	%
Women	%	1 %	%	%	%	%

**IV. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES:** If your firm is currently certified as a minority, women, disadvantaged or disabled veteran owned business enterprise by a public agency, complete the following and attach a copy of your proof of certification. (Use back of form, if necessary.)

Agency/Name	Minority	Women	Disadvantaged	Disabled Veteran	Expiration Date

**V. DECLARATION:** I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Authorized Signature: 	Title: CEO	Date: Aug. 17, 2006
---	------------	---------------------